

AO 91 (Rev. 11/11) Criminal Complaint

FILED

UNITED STATES DISTRICT COURT

**UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO**

for the
District of New Mexico

MAY 07 2025

United States of America
v.
Justin Ricardo MARTINEZ-Garcia

Case No. 25-593 PO

**MITCHELL R. ELFERS
CLERK OF COURT**

Defendant(s)

CRIMINAL COMPLAINT


I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 03, 2023 in the county of Dona Ana in the
District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. § 1325(a)(1)	Illegal Entry Without Inspection

This criminal complaint is based on these facts:
See attached affidavit.


☒ Continued on the attached sheet.


Complainant's signature

Ruben Barron Border Patrol Agent
Printed name and title

Telephonically sworn and electronically signed.

Date: 05/06/2025


Judge's signature

City and state: Las Cruces, New Mexico

Gregory B. Wormuth, U.S. Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE ARREST OF: Justin Ricardo MARTINEZ-Garcia	
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AFFIDAVIT IN SUPPORT OF PROBABLE CAUSE ARREST

I, Ruben Barron, an Agent with the United States Border Patrol, being duly sworn,
hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of the arrest of Justin Ricardo MARTINEZ-Garcia (hereafter "MARTINEZ"), for a violation of 8 U.S.C. §§ 1325(a)(1), Illegal Entry Without Inspection.

2. I have received formal and on the job training from other experienced agents and law enforcement officers. My investigative training and experience include, but is not limited to, conducting surveillance, interviewing subjects, writing affidavits for search and arrest warrants, collecting evidence and learning legal matters which includes the topics of arrests and fourth amendment searches. I am a federal law enforcement officer who is engaged in enforcing criminal laws, including violations of United States Code Title 8, and I am authorized by law to request an arrest warrant.

3. The statements contained in this affidavit are based upon my investigation, training and experience, as well as information provided by other law enforcement officers or from other reliable sources. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning

this investigation. I have set forth only the facts which I believe are necessary to establish probable cause to support the requested criminal complaint.

FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE

4. On July 03, 2023, MARTINEZ entered the United States after making an illegal entry into the United States at a time and place other than as designated by Immigration Officers. It is determined that MARTINEZ did not have any legal documents that would allow him to be or remain in the United States. MARTINEZ was encountered on today's date, May 5, 2025, in El Paso Texas, during a traffic stop conducted by Texas DPS and it was determined that he made his illegal entry into the United States by walking across the United States in the District of New Mexico at a place not designated as a Port of Entry by the Appropriate Authority of the United States. Thus, MARTINEZ is present in the United States without admission by an Immigration Officer.

5. When questioned as to his citizenship, the defendant admitted to being a citizen of Mexico without authorization to enter or remain in the United States. Record checks indicated that MARTINEZ is a native and citizen of Mexico and previously apprehended in Las Cruces, New Mexico in two smuggling events. The defendant stated that he last entered the United States by illegally crossing the border in Sunland Park, New Mexico in Dona Ana Country on July 03, 2025, at a place not designated as a lawful place of entry.

6. MARTINEZ has no prior criminal history.

7. I reviewed photos contained within the A-file ending in 8293 and confirmed that the photos depicted the same individual, MARTINEZ, encountered by Border Patrol Agents.

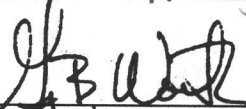
8. Review of all pertinent indices and alien file ending in 8293 and found that MARTINEZ has not applied for nor received permission from the Secretary of Homeland Security, or a designee, to enter or remain the United States.

9. Based on the foregoing, I have probable cause to believe that, in the State and District of New Mexico, MARTINEZ is in violation of 8 U.S.C. §§ 1325 (a)1), Illegal Entry Without Inspection.



Ruben Barron
United States Border Patrol

Subscribed electronically and sworn telephonically
to me this 7th day of May 2025:


HONORABLE GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE